

~~cava-electrode~~, a ventricular coil electrode, and a ventricular ring electrode.

REMARKS

In accordance with the above amendments, previously withdrawn claims 46-51 and 55 have been canceled. Claims 43-45, 52-54, 56-59 and 64 have been amended. Claims 43-45, 52-54, and 56-64 remain under consideration in the present application. No claim has been allowed.

In accordance with the above amendments, the objection under Item 6 of the Official Action is believed overcome as the term "a ventricular superior vena cava electrode" has been removed from all claims by the above amendments. In addition, the claims have been amended to overcome the rejections under 35 USC § 112 as enumerated in Items 7 and 8 of the Official Action. Note that the electrode combination possibilities are recited in the independent claims and possible combinations from these are recited in the dependent claims. It is believed that the independent claims contain selectable combinations forming the basis for the selection in the dependent claims. It is believed that the language is now parallel between the various claims and this should alleviate any concerns with respect to confusion which may have existed.

With respect to the rejection of the claims based on the

non-statutory double-patenting doctrine, the applicants stand ready to provide any necessary Terminal Disclaimer with respect to U.S. Patent 6,169,921 should claims be otherwise deemed allowable.

On the merits, it is believed that all the claims do distinguish over the cited references which may disclose aspects of the concept of the present invention but, at the same time, do not disclose or suggest the autocapture/stimulation/sensing configuration of the present invention. The current claims are believed both novel and unobvious with respect to the art, taken either singularly or in combination.

The Examiner is respectfully requested to enter the amendments and reconsider and allow the claims.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.



C. G. Mersereau
Registration No. 26,205
820 International Centre
900 Second Avenue South
Minneapolis, MN 55402
Telephone: (612) 339-7461

CERTIFICATE OF MAILING VIA FACSIMILE

I hereby certify that the foregoing Amendment in response to the final Official Action of January 27, 2004, in application Serial No. 09/753,738 of inventors, Geng Zhang, et al., filed January 2, 2001, for "AUTOCAPTURE PACING/SENSING CONFIGURATION" and a Transmittal Letter are being sent by facsimile transmission to: Examiner Kennedy Schaetzle, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 27, 2004, facsimile No. 703-308-0758.



Barbara L. Davis
on behalf of C. G. Mersereau
Attorney for Applicant

Date of Signature: February 27, 2004